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THE
Fate of Tyrants

OR, THE
ROAD from the PALACE to the
SCAFFOLD.

*Better that one Man should Die than a whole
Nation should Perish.*



L O N D O N:

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THE
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IMPORTANT

EXTRACTS,

Respecting the Life and Reign

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CHARLES I.

NO public Measures were conducted but by his * Counsel and Direction: His impetuous Temper prompted him to raise suddenly to the highest Elevation his Flatterers and Dependents; and upon the least Occasion of Displeasure, he threw them down with equal Fury and Violence; Implacable in his Hatred, fickle in his Friendship. All Men were either regarded as his Enemies, or dreaded soon to become such. The whole Power of the Kingdom was grasped by his insatiable Hand, while

B

he

* Duke of Buckingham

he both engrossed the entire Confidence of his Master, and held, invested in his single Person, the most considerable offices of the Crown.

In the YEAR 1625,

THE House of Commons were almost entirely governed by a Set of Men of the most uncommon Capacity, and the largest Views; Men, who were now formed into a regular Party, and united, as well by fixed Aims and Projects, as by the Hardships which some of them had undergone in Prosecution of them. Among these we may mention the Names of Sir *Edward Coke*, Sir *Edwin Sandys*, Sir *Robert Phillips*, Sir *Francis Seymour*, Sir *Dudley Digges*, Sir *John Elliot*, Sir *Thomas Wentworth*, Mr. *Selden*, Mr. *Pym*. Animated with a warm Regard to LIBERTY, these Men saw with Regret, an unbounded Power exercised by the Crown, and were resolved to seize the Opportunity which the King's Necessities offered them.

them, of reducing the Prerogative within more reasonable Compass. Tho' their Ancestors had blindly given Way to Practices and Precedents favourable to kingly Power, and had been able, notwithstanding, to preserve some small Remains of LIBERTY; it would be impossible, they thought, when all these Pretensions were methodized and prosecuted by the increasing Knowledge of the Age, to maintain any Shadow of popular Government, in Opposition to such unlimited Authority in the Sovereign. It was necessary to fix a Choice; either to abandon entirely the Privileges of the People, or to secure them by firmer and more precise Barriers than the Constitution had hitherto provided for them. In this Dilemma, Men of such aspiring Genius and such independent Fortune could not long deliberate: They boldly embraced the Side of Freedom, and resolved to grant no Supplies to their necessitous Prince, without extorting Concessions in Favour of Civil LIBERTY: The End, they esteemed beneficent and noble; the Means, regular and constitutional. To grant or refuse Supplies, was the undoubted

Privilege of the Commons; and as all human Governments, particularly those of a mixed Frame, are in continual Fluctuation; it was as natural in their Opinion, and allowable, for popular Assemblies to take Advantage of favourable Incidents, in Order to secure the Subjects, as for Monarchs, in Order to extend their own Authority.

But when he [*Charles*] perceived this Measure proceeded from an Intention of encroaching on his Authority, he failed not to regard these Aims as highly criminal and traitorous. Those lofty Ideas of monarchical Power, which were very commonly adopted during that Age, and to which the ambiguous Nature of the *English* Constitution gave so plausible an Appearance, were firmly rivitted in *Charles*; and however moderate his Temper, the natural and unavoidable Prepossessions of Self-love, joined to the late uniform Precedents in Favour of Prerogative, had made him conceive his political

cal Tenets as certain and uncontroverted. Taught to regard even the antient Laws and Constitution more as Lines to direct his Conduct than Barriers to withstand his Power; a Conspiracy to erect new Ramparts in Order to straiten his Authority, appeared but one Degree removed from open Violence and Rebellion.

Though the ill Success of his Enterprizes diminished his Authority, and shewed every Day more plainly the Imprudence of the *Spanish War*, he was resolved once more to try to gain a Supply from the House of Commons. Perhaps, too, a little political Art which at that Time he practised, was much trusted to: He had named four popular Gentlemen, Under Sheriffs of Counties, Sir *Edward Coke*, Sir *Robert Phillips*, Sir *Thomas Wentworth*, Sir *Francis Seymour*; and though this Question had been formerly much contested, * he thought that he had, by that

* It is always an express Clause in the Writ of Summons, that no Sheriff shall be chosen; but the contrary Practice hath often prevailed. *D'Ewes*, p. 38.

that Means, incapacitated them for being elected Members. But this Intention being so evident, rather put the Commons more upon their Guard. Enough of Patriots still remained to keep up the ill Humour of the House; and Men needed but little Instruction or Rhetoric to recommend to them Practises, which increased their own Importance and Consideration. The Weakness of the Court also could not more evidently appear, than by its being reduced to so ineffectual an Expedient, in Order to obtain an Influence over the Commons. The Views, therefore, of the last Parliament were immediately adopted, as if the same Men had been every where elected, and no Time had intervened since their last Meeting.

In the YEAR 1626,

That religious Prejudices might support Civil Authority, Sermons were preached by *Sibthorpe* and *Manwaring* in Favour of the general Loan; and the Court, very industriously

cusly spread them over the Kingdom. Passive Obedience was there recommended in its full Extent; the whole Authority of the State was represented as belonging to the King alone; and all Limitations of Laws and Constitutions were rejected as seditious and impious.

While the King, instigated by Anger and Necessity, thus employed the whole Extent of his Prerogative, the Spirit of the People was far from being subdued. Throughout all *England* many refused these Loans, and some were even active in encouraging their Neighbours to insist upon their common Rights and Privileges. By Warrant of the Council *these* were thrown into Prison. Most of them with Patience submitted to Confinement, or applied, by Petition to the King, who commonly released them. Five Gentlemen alone, Sir *Thomas Darnel*, Sir *John Corbet*, Sir *Walter Earle*, Sir *John Heveningham*, and Sir *Edmond Hampden*, had Spirit enough, at their own Hazard and Expence,

Expence, to defend the public LIBERTIES, and to demand Release, not as a Favour from the Court, but as their Due, by the Laws of their Country. No particular Cause was assigned of their Confinement: The special Command alone of the King and Council was pleaded; and by Law, it was asserted, this was not sufficient Reason for refusing Bail, or Release to the Prisoners. This Question was brought to a solemn Trial before the *King's Bench*; and the whole Kingdom was attentive to the Issue of a Cause, which was of much greater Consequence than the Event of many Battles.

By the Debates on this Subject it appeared, beyond Controversy, to the Nation, that their Ancestors had been so jealous of personal Liberty, as to secure it against arbitrary Power in the Crown by six * several Statutes, and by an Article † of the Great Charter itself, the most

* 25 Edw. III. cap. 4. 28 Edw. III. cap. 3. 37 Edw. III. cap. 18. 38 Edw. III. cap. 9. 42 Edw. III. cap. 3. 1 Rich. II. cap. 12. † Chap. 29.

most sacred Foundation of the Laws and Constitution. But the Kings of *England*, who had not been able to prevent the enacting these Laws, had sufficient Authority, when the Tide of LIBERTY was spent, to hinder their regular Execution; and they deemed it superfluous to attempt the formal Repeal of Statutes, which they found so many Expedients and Pretences to elude.

It was not till this Age, when the Spirit of LIBERTY was universally diffused, when the Principles of Government were nearly reduced to a System, that these five Gentlemen above-mentioned, by a noble Effort, ventured in this national Cause, to bring the Question to a final Determination. And the King was astonished to observe that a Power exercised by his Predecessors almost without Interruption, was found, upon Trial, to be directly opposite to the clearest Laws, and supported by few or no undoubted Precedents in Courts of Judicature.

Sir *Randolph Crew*, Lord Chief Justice, had been displaced, as unfit for the Purposes of the Court; Sir *Nicholas Hyde*, esteemed more obsequious, had obtained that high Office; yet the Judges, by his Direction, went no farther than to remand the Gentlemen to their Prisons, and refuse the Bail which was offered. *Heatbe*, the Attorney General, insisted that the Court should enter a general Judgment that no Bail could be granted upon a Commitment by the King or Council: But the Judges wisely declined complying; the Nation, they saw, were already to the last Degree, exasperated. In the present Disposition of Mens Minds, universal Complaints prevailed, as if the Kingdom were reduced to Slavery: And the most invidious Prerogative of the Crown, it was said, that of imprisoning the Subject, is here openly and solemnly, and in numerous Instances, exercised for the most invidious Purpose, in order to extort Loans, or rather Subsidies, without Consent of Parliament.

It may safely be affirmed that, except a few Courtiers and Ecclesiastics, all Men were displeased with this high Exertion of Prerogative, and this new Spirit of Administration. Tho' ancient Precedents were pleaded in favour of the King's Measures, a great difference, upon Comparison, was observed between the Cases. Acts of Power, however irregular, might casually, and at Intervals, be exercised by a Prince for the Sake of Dispatch or Expediency, and yet LIBERTY still subsist, in some tolerable Degree, under his Administration. But where all these were reduced into a System, were exerted without Interruption, were studiously sought for, in Order to supply the Place of Laws, and subdue the refractory Spirit of the Nation, it was necessary to find some speedy Remedy, or finally to abandon all Hopes of preserving the Freedom of the Constitution. Nor could moderate Men esteem the Provocation, which the King had received, though great, sufficient to warrant all these violent Measures.

THIRD PARLIAMENT, 1628. [Page 158]

The Views of the popular Leaders were judicious and profound. When the Commons assembled, they appeared to be Men of the same independent Spirit with their Predecessors, and possessed of such Riches, that their Property was computed to surpass three Times that of the House of Peers; they were deputed by Boroughs and Counties, inflamed, all of them, by the late Violations of LIBERTY; many of the Members themselves had been cast into Prison, and had suffered by the Measures of the Court; yet, notwithstanding all these Circumstances, which might prompt them to embrace violent Resolutions, they entered upon Business with Temper and Decorum. They considered, that the King, disgusted at these popular Assemblies, and little pre-possessed in Favour of their Privileges, waited but a fair Pretence of breaking with them, and would seize the first Opportunity offered by any incident or undutiful Behaviour of the Members. He fairly told them in his first Speech, that

that, " If they should not do their Duties in
 " contributing to the Necessities of the State,
 " he must, in Discharge of his Conscience,
 " use other Means, which God had put into
 " his Hands, in Order to save that which the
 " Follies of some particular Men may other-
 " wise put in Danger."

From these avowed Maxims the Commons
 foresaw, that if the least Handle was afforded,
 the King would immediately dissolve them, and
 thenceforward deem himself justified for violat-
 ing, in a Manner still more open, all the anti-
 ent Forms of the Constitution. No Remedy
 could then be looked for but from Insurrections
 and Civil War, of which the Issue would be
 extremely uncertain, and which must, in all
 Events, prove infinitely calamitous to the
 whole Nation.

To correct the late Disorders in the Admini-
 stration required some new Laws, which would
 no Doubt appear harsh to a Prince so enamour-
 ed of his Prerogative; and it was requisite to
 temper,

temper, by the Decency and Moderation of their Debates, the Rigour which must necessarily attend their Determinations. Nothing can give us a higher Opinion of the Capacity of those Men who now guided the Commons, and of the great Authority they had acquired, than the forming and executing so judicious and dangerous a Plan of Operations.

The Decency, however, which the popular Leaders had prescribed to themselves, and recommended to others, hindered them not from making the loudest and most vigorous Complaints against the Grievances under which the Nation lately laboured. Sir *Francis Seymour* said, “ This is the great Council of the Kingdom, and here with Certainty, if not here only, his Majesty may see, as in a true Glass, the State of the Kingdom. We are called hither by his Writs in Order to give him faithful Council; such as may stand with his Honour; and this we must do without Flattery. We are all sent hither by the People, in Order to deliver their just Grievances, “ and

" and this we must do without Fear. Let us
 " not act like *Cambyfes's* Judges, who, when
 " their Approbation was demanded by the
 " Prince to some illegal Measure, said, that
 " *Tba' there was a written Law, the Persian*
 " *Kings might follow their own Will and Plea-*
 " *sure.* This was base Flattery, fitter for our
 " Reproof than our Imitation; and as Fear,
 " so Flattery taketh away the Judgment. For
 " my Part, I shall shun both, and speak my
 " Mind, with as much Duty to his Majesty
 " as any Man, without neglecting the Public.
 " But how can we express our Affections while
 " we retain our Fears; or speak of giving till
 " we know whether we have any Thing to
 " give—for if his Majesty may be persuaded
 " to take what he will, What need we give?"

" That this hath been done appears by the
 " billeting of Soldiers, a Thing no wise ad-
 " vantageous to the King's Service, and a Bur-
 " then to the Commonwealth; By the Impri-
 " sonment of Gentlemen for refusing the Loan,
 " who, if they had done the contrary for
 " Fear,

" Fear, had been as blameable as the Projectors of that oppressive Measure. To countenance these Proceedings, hath it not been preached in the Pulpit, or rather prated, that *All we have is the King's by divine Right?*
 " —But when Preachers forsake their own Calling, and turn ignorant Statesmen, we see how willing they are to exchange a good Conscience for a Bishopric.

" He, I must confess, is no good Subject, who would not, willingly and chearfully, lay down his Life, when that Sacrifice may promote the Interests of his Sovereign, and the Good of the Commonwealth. But he is not a good Subject, he is a Slave, who will allow his Goods to be taken from him without his Will, and his LIBERTY against the Laws of the Kingdom. By opposing these Practises, we shall but tread in the Steps of our Fore-fathers, who still preferred the Public before their Private Interest, nay, before their very Lives. It will in us be a Wrong done to ourselves, to our Posterities,

“ to our Consciences, if we forego this Claim
 “ and Pretension.”

“ I read of a Custom (said Sir Robert
 “ *Phillips*) among the old *Romans*, that once
 “ every Year, they held a solemn Festival,
 “ at which their Slaves had Liberty, with-
 “ out Exception, to speak what they pleased,
 “ in Order to ease their afflicted Minds;
 “ and, on the Conclusion of the Festival,
 “ the Slaves severally returned to their former
 “ Servitudes.”

“ This Institution may, with some Distinc-
 “ tion well set forth our present State and
 “ Condition. After the Revolution of some
 “ Time, and the grievous Sufferance of ma-
 “ ny violent Oppressions, we have now at
 “ last, as those Slaves obtained, for a Day,
 “ some Liberty of Speech; but shall not, I
 “ trust, be hereafter Slaves: For we are born
 “ FREE—Yet, what new illegal Burthens
 “ our Estates and Persons have groaned un-

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der }

“ der, my Heart yearns to think of,—my
 “ Tongue falters to utter! ”——

“ The Grievances, by which we are op-
 “ pressed, I draw under two Heads; Acts of
 “ Power against Law, and the Judgments of
 “ Lawyers against our LIBERTY.”

Having mentioned three illegal Judgments,
 passed within his Memory, by which the
Scotch, born after *James's* Accession were ad-
 mitted to all the Privileges of *English* Sub-
 jects; that by which new Impositions had
 been warranted; and the last, by which ar-
 bitrary Imprisonments were authorized, he
 thus proceeded:

“ I can live, though another who has no
 “ Right, be put to live along with me; nay,
 “ I can live, tho' burthened with Impositions,
 “ beyond what at present I labour under: But
 “ to have my LIBERTY, which is the Soul of
 “ my Life, ravished from me; to have my
 “ Person

“ Person put into a Gaol, without Relief by
 “ Law; and to be so adjudged,—O improvi-
 “ dent Ancestors! O unwise Forefathers! to
 “ be so curious for providing in the quiet
 “ Possession of our Lands, and the Liberties
 “ of Parliament, and at the same Time to ne-
 “ glect our Personal LIBERTY, and let us lie
 “ in Prison, and that during Pleasure without
 “ Redress or Remedy!—If this be Law, why
 “ do we talk of LIBERTIES? Why trouble
 “ ourselves with Disputes about a Constituti-
 “ on, Franchises, Property of Goods, and
 “ the like? What may any Man call his own,
 “ if not the LIBERTY of his Person?

“ I am weary of treading these Ways; and
 “ therefore conclude to have a select Com-
 “ mittee, in order to frame a Petition to his
 “ Majesty, for Redress of these Oppressions.
 “ And this Petition being read, examined, and
 “ approved, may be delivered to the King:
 “ of whose gracious Answer we have no Cause
 “ to doubt, our Desires being so reasonable, our
 “ Intentions so loyal, and the Manner so dutiful.

“ Neither need we fear that this is the critical
 “ Parliament, as has been insinuated ; or that
 “ this is a Way to Distraction : But assure our-
 “ selves of a happy Issue. Then shall the King,
 “ as he calls us his great Council, find us his
 “ true Council, and own us his good Council.”

The same Topics were enforced by Sir *Thomas*
Wentworth. After mentioning Projectors and
 ill Ministers of State. “ These (said he) have
 “ introduced a Privy Council, ravishing, at once
 “ the Spheres of all ancient Government ; de-
 “ stroying all LIBERTY, imprisoning us with-
 “ out Bail or Bond. They have taken from us
 “ ———what shall I say ? Indeed, what have
 “ they left us ? By tearing up the Roots of all
 “ Property, they have taken from us every
 “ Means of supplying the King, and of in-
 “ gratiating ourselves by voluntary Proofs of
 “ our Duty and Attachment towards him.”

“ To the making whole these Breaches I
 “ shall apply myself ; and to all these Diseases
 “ shall

“ shall propound a Remedy. By one and the
 “ same Thing have the King and the People
 “ been hurt, and by the same must they be
 “ cured. We must vindicate --- What? ---
 “ new things? --- No: our antient, Legal and
 “ vital LIBERTIES, re-enforcing the Laws
 “ enacted by our Ancestors; by setting such
 “ a Stamp upon them, that no licentious
 “ Spirit shall dare henceforward to invade
 “ them. And shall we think this Way to
 “ break a Parliament? No; our Desires are
 “ modest and just. I speak both for the
 “ Interest of King and People. If we en-
 “ joy not these Rights, it will be impossible
 “ for us to relieve him. Let us therefore,
 “ never doubt a favourable Reception from
 “ his Goodness.”

These Sentiments were unanimously embrac-
 ed by the whole House: Even the Court
 Party pretended not to plead, in Defence of
 the late Measures, any Thing but the Necessity
 to which the King had been reduced by the
 Obstinacy of the two former Parliaments.

A Vote

A Vote therefore, was passed without Opposition against Arbitrary Imprisonments, and forced Laws. And the Spirit of LIBERTY having obtained some Satisfaction by this Exertion of itself, the King's reiterated Messages, who pressed for Supply, were attended to with better Temper, and five Subsidies were voted him.

The Supply, tho' voted, was not as yet passed into a Law; and the Commons resolved to employ the Interval in providing some Barriers to their Rights and LIBERTIES, so lately violated. They knew that their own Vote, declaring the Illegality of former Measures, had not, of itself, sufficient Authority to secure the Constitution against all future Invasions. Some Act to that Purpose must receive the Sanction of the whole Legislature, and they appointed a Committee to prepare the Model of so important a Law. By collecting into one Effort all the dangerous and oppressive Claims of his Prerogative, *Charles* had exposed them to the Hazard of one Assault,
and

and had farther, by presenting a nearer View of the Consequences attending them, roused the independing Genius of the Commons. Forced Loans, Benevolences, Taxes without Consent of Parliament, arbitrary Imprisonments, billeting of Soldiers, martial Law; these were the Grievances complained of, and against these an eternal Remedy was to be provided. The Commons pretended not to any unusual Powers or Privileges; they aimed only at securing those transmitted them from their Ancestors: And their Law they resolved to call a PETITION OF RIGHT, as implying that it contained a Corroboration or Explanation of the antient Constitution, not any Infringement of royal Prerogative, or Acquisition of new LIBERTIES.

Page 165.

Ashley, the King's Serjeant, having asserted in a Pleading before the Peers, that the King must sometimes govern by Acts of State as well

well as of Law ; this Position gave such Offence, that he was immediately committed to Prison, and was not released, but upon his Recantation and Submission. Being, however, afraid that the Commons would go too far in their projected Petition, the Peers proposed a Plan of one more moderate, which they recommended to the Consideration of the other House. It consisted, merely in a general Declaration, that the Great Charter, and the six Statutes conceived to be Explanations of it, stand still in Force to all Intents and Purposes ; that in Consequence of the Charter and the Statutes, and by the Tenor of the antient Custom and Laws of the Land, every Subject has a fundamental Property in his Goods, and a fundamental LIBERTY of his Person ; that his Property and LIBERTY are as entire at present, as during any former Period of the *English* Government ; that in all common Cases the common Law ought to be the Standard of Proceedings : “ And in Case, that, for the
 “ Security of his Majesty’s Person, the general
 “ Safety of his People, or the peaceable Go-
 “ vernment

“ vernment of the Kingdom, the King shall
 “ find just Cause, for Reasons of State, to im-
 “ prison or restrain any Man's Person; he was
 “ petitioned graciously to declare, that within
 “ a *convenient* Time, he shall and will ex-
 “ press the Cause of the Commitment or Re-
 “ straint, either general or special, and upon
 “ a Cause so expressed, will leave the Priso-
 “ ner immediately to be tried according to
 “ the common Law of the Land.”

Archbishop *Abbot* was employed by the
 Lords to recommend, in a Conference, this
 Plan of Petition to the House of Commons.
 The Prelate, as was, no doubt, foreseen, from
 his known Principles, was not extremely ur-
 gent in his Applications; and the lower House
 were fully convinced that the general Decla-
 rations signified nothing, and that the latter
 Clause left their LIBERTIES rather in a worse
 Condition than before. They proceeded there-
 fore with great Zeal in framing the Model of
 a Petition, which should contain Expressions
 more precise, and more favourable to public
 FREEDOM, E The

The King could easily see the Consequences of such Proceedings. Tho' he had offered at the Beginning of the Session to give his Consent to any Law for the Security of the RIGHTS and LIBERTIES of the People, he had not expected that such Inroads should be made on his Prerogative. In order, therefore, to divert the Commons from their Intention, he sent a Message, wherein he desired the Houses, " Clearly to let him know
 " whether they would rest upon his Royal
 " Promise in Favour of their LIBERTIES :
 " which Promise he had given at several
 " Times, and chiefly by the Lord Keeper's
 " Speech, made in his own Presence. If they
 " would rely on it he assured them it should
 " be really and royally performed. "

Secretaty *Coke*, who delivered this Message, after some Preamble and some Apology for past Grievances, proceeded in this Manner. "
 " When Means were denied his Majesty, being
 " a young King and newly come to the Crown,
 " which

“ which he found engaged in a War; what
 “ could we expect in such Necessities? His Ma-
 “ jesty has called this Parliament to make up
 “ the Breach: His Majesty assures us that we
 “ shall not have like Cause to complain: He
 “ assures us that the Laws shall be established.
 “ What can we desire more? The important
 “ Point is, that we provide for Posterity, and
 “ prevent the like Practices for the future.
 “ Were not the same Means provided by them
 “ before us? Can we do more? We stand at
 “ present on the Confines between the LIBER-
 “ TY of the Subject and the Prerogatives of
 “ the King. I hope that we shall not pre-
 “ tend to add any Thing for ourselves, in
 “ order to depress him. I will not divine:
 “ Yet, I think that, in such Pretensions, we
 “ shall find Difficulty with the King; nay,
 “ perhaps with the Lords. For my Part, I
 “ shall not, as Counsellor to his Majesty, de-
 “ liver any Opinion, which I will not openly
 “ declare and justify here or at the Council-
 “ board. Will we, in this Necessity, strive
 “ to bring ourselves into a better Condition,

“ and greater LIBERTY than our Fathers en-
 “ joyed, and reduce the Crown to a worse
 “ than ever?—I dare not advise his Majesty
 “ to give Way to such Measures. What
 “ we now desire, if it be no Innovation, is
 “ all contained in those Acts and Statutes;
 “ and whatever more we shall add is a Di-
 “ minution to the King’s Power, and an Ac-
 “ cession to our own. We deal with a wise
 “ and valiant Prince, who hath a Sword in
 “ his Hand for our Good; and this Good
 “ cannot be attained without Power. Do
 “ not think, that by Parliamentary Debates,
 “ or even by Clauses of Statutes, we can
 “ make that to be unlawful, which, by Ex-
 “ perience, we have found to be derived
 “ from Necessity, and from a Necessity so
 “ urgent, that it admits not of Remedy from
 “ any Law.---And I beseech you to consider,
 “ whether those, who have been in the same
 “ Place which I now occupy, have not freely
 “ given Warrants for Commitments, and yet,
 “ no doubt, been entertained, nor any Com-
 “ plaint made by the Subject.”

Upon

Upon this Speech there arose a great Debate in the House. Many Reasons were anew urged on both Sides: But Sir *Thomas Wentworth* closed the Debate, by saying, " That never House of Parliament, so far
 " as regarded themselves, trusted more than
 " the present to the Goodness of their King:
 " But we are ambitious, said he, that his
 " Majesty's Goodness may remain to Posterity,
 " and we are accountable for a Public Trust.
 " There hath been a Public Violation of the
 " Laws by the King's Ministers, and nothing
 " can satisfy the Nation but a Public Re-
 " paration. Our Desire to vindicate the Sub-
 " ject's Right by Bill, will carry us no farther
 " than what is contained in former Laws,
 " with some modest Provision for Instruc-
 " tion, Performance, and Execution." This
 contained so much the Sentiments of the
 House, that it was universally acquiesced in,

The King, however, was not discouraged:
 By another Message, he attempted to divert
 the

the Commons from their Purpose. He there acknowledged past Errors, and promised that hereafter, there should be no just Cause of Complaint. And he added, "That the Affairs of the Kingdom press him so, that he could not continue the Session above a Week or two longer; and if the House be not ready by that Time to do what is fit for themselves, it shall be their own Fault." On a subsequent Occasion he asked them, "Why demand Explanations, if you doubt not the Performance of the Statutes according to their true Meaning? Explanations will hazard an Encroachment upon the Prerogative. And it may well be said, what need a New Law to confirm an Old, if you repose Confidence in the Declarations which his Majesty made to both Houses?" The Truth is the Great Charter, and the old Statutes were sufficiently clear in Favour of LIBERTY; but as all Kings of *England* had ever, in Cases of Necessity or Expediency been accustomed, at Intervals to elude them; and as *Charles*, in a Complication of Instances, had lately

lately violated them, the Commons judged it requisite to enact a new Law, which might not be eluded or violated by any Interpretation, Construction, or contrary Precedent. Nor was it sufficient, they thought, that the King promised to return into the Way of his Predecessors. His Predecessors, in all Times, had enjoyed, at least had exercised too much discretionary Power, and by his recent Abuse of it, the whole World had Reason to see the Necessity of entirely retrenching it.

Sir *Edward Coke* urged on this Occasion, with the Approbation of the whole House,
 “ Was it ever known that general Words were
 “ a sufficient Satisfaction for particular Griev-
 “ ances? Was ever a verbal Declaration of the
 “ King, the Word of the Sovereign? When
 “ Grievances are complained of, the Parlia-
 “ ment is to redress them. Did ever the Par-
 “ liament rely on Messages? They have ever
 “ put up Petitions of their Grievances; and
 “ the King has ever answered them. The
 “ King’s

“ King’s Message is very gracious; but what
 “ is the Law of the Realm? That is the
 “ Question. I have no Diffidence of his Ma-
 “ jesty, but the King must speak by Record,
 “ and in Particulars. Did you ever know the
 “ King’s Message come into a Bill of Subsi-
 “ dies? All succeeding Kings will say, *Ye*
 “ *must Trust me as you did my Predecessors, and*
 “ *ye must have the same Confidence in my Mes-*
 “ *sages.* But Messages of Love never come
 “ into a Parliament. Let us put up a Pe-
 “ tition of Right; not that I distrust the
 “ King, but that I cannot give Trust except
 “ in a Parliamentary Way.”

The King still endeavoured to elude the Pe-
 tition. He sent a Letter to the House of Lords,
 where he went so far as to make a particular
 Declaration, “ That neither he nor his Privy
 “ Council shall or will, at any Time hereafter,
 “ commit or command to Prison, or other-
 “ wise restrain any Man for not lending Mo-
 “ ney, or for any other Cause, which, in
 “ his Conscience he thought not to concern
 “ the

the Public Good, and the Safety of King
 “ and People.” And he farther declared,
 “ That he never would be guilty of so base
 “ an Action as to pretend a Cause, of whose
 “ Truth he was not fully satisfied.” But
 this Promise, though enforced to the Com-
 mons by the Recommendation of the Upper
 House, made no more Impression than all the
 other Messages.

Among the other Evasions of the King, we
 may reckon the Proposal of the House of
 Peers to subjoin to the intended Petition of
 Right, the following Clause: “ We humbly
 “ present this Petition to your Majesty, not
 “ only with a Care of preserving our own
 “ LIBERTIES, but with due Regard to leave
 “ entire that *Sovereign Power* with which
 “ your Majesty is trusted for the Protection,
 “ Safety, and Happiness of your People.”
 Less Penetration than what was possessed by
 the Leaders of the House of Commons,
 could easily discover how captious this Clause

was, and how much it was calculated to elude the whole Force of the Petition.

These Obstacles, therefore, being surmounted, the Petition of Right passed the Commons, and was sent to the Upper House. The Peers, who were probably well pleased in Secret that all their Solicitations had been eluded by the Commons, quickly passed the Petition without any material Alteration, and nothing but the Royal Assent was wanting to give it the Force of a Law. The King accordingly came to the House of Peers, sent for the Commons, and being seated in his Chair of State, the Petition was read to him. Great was now the Astonishment of all Men, when instead of the usual concise and clear Form by which a Bill is either confirmed or rejected, *Charles* said, in Answer to the Petition, " The King willeth
" that Right be done, according to the Laws
" and Customs of the Realm, and the Statutes
" be put in due Execution; that his Subjects
" may have no Cause to complain of any
" Wrong

“ Wrong or Oppression contrary to their
 “ just Rights and LIBERTIES, to the Preser-
 “ vation of which he holds himself as much
 “ obliged as of his own Prerogative.”

It is surprizing that *Charles*, who had seen so many Instances of the Jealousy of the Commons, who had himself so much roused that Jealousy by his frequent evasive Messages during this Session, could imagine that they would remain satisfied with an Answer so vague and undetermined. It was evident that the unusual Form alone of the Answer must excite their Attention; that the Disappointment must inflame their Anger; and that therefore it was necessary, as the Petition seemed to bear hard on Royal Prerogative, to come early to some fixed Resolution, either gracefully to comply with it, or courageously to reject it.

It happened as might have been foreseen.
 The Commons returned in very ill Humour.

Page 171. [In the YEAR 1628.]

There is nothing which tends more to justify the extreme Rigour of the Commons against *Charles* than his open Encouragement and Avowal of such general Principles as were altogether incompatible with a limited Government. *Manwaring* had preached a Sermon, which the Commons found, upon Enquiry, to be printed by special Command from the King; and when this Sermon was looked into, it contained Doctrines subversive of all Civil LIBERTY. It taught, that though Property was commonly lodged in the Subject, yet, whenever any Exigency required Supply, all Property was transferred to the King; that the Consent of Parliament was not requisite for the Imposition of Taxes; and that the divine Laws required Compliance with every Demand, however irregular, which the Prince should make upon his Subjects. For these Doctrines the Commons impeached *Manwar-*
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ing before the Peers. The Sentence pronounced upon him was, that he should be imprisoned during the Pleasure of the House, be fined a Thousand Pounds to the King, make Submission and Acknowledgment for his Offence, be suspended during three Years, be incapable of holding any ecclesiastical Dignity or secular Office, and that his Book be called in and burnt. It may be worth Notice, that no sooner was the Session ended, than this Man, so justly disagreeable to both Houses, received a Pardon; and was promoted to a Living of considerable Value. Some Years after he was raised to the See of St. *Asaph*.

From *Manwaring*, the House of Commons proceeded to censure the Conduct of *Buckingham*, whose Name hitherto they had cautiously forbore to mention. In vain did the King send them a Message, in which he told them, that the Session was drawing near to a Conclusion, and desired that they would not enter upon

upon new Business, nor cast any Aspersions on his Government and Ministry. Though the Court endeavoured to explain and soften the Message by a subsequent Message, it served rather to inflame than appease the Commons,---as if the Method of their Proceeding had been here prescribed to them. It was foreseen that a great Tempest was ready to burst on the Duke, and in order to divert it, the King thought proper, upon a joint Application of Lords and Commons, to endeavour the giving them Satisfaction, with Regard to the Petition of Right. He came, therefore, into the House of Peers, and pronouncing the usual Form of Words, Let it be Law as is desired, gave full Sanction and Authority to the Petition. The Acclamations with which the House resounded, and the universal Joy diffused over the Nation, shewed how much this Petition had been the Object of all Men's Vows and Expectations.

It may be affirmed, without Exaggeration, that the King's Assent to the Petition of Right produced

produced such a Change in the Government as was almost equivalent to a Revolution; and by circumscribing, in so many Articles, the Royal Prerogative, gave additional Security to the LIBERTIES of the Subject. Yet were the Commons far from being satisfied. Their ill Humour had been so much irritated by the King's frequent Evasions and Delays, that it could not be easily appeased by an Assent which he allowed to be so ungracefully extorted from him. Perhaps, too, the popular Leaders, implacable and artful, saw the Opportunity favourable; and turning against the King those very Weapons with which he had furnished them, resolved to pursue the Victory. The Bill however, for five Subsidies, which had been formerly voted, immediately passed the House, because the granting that Supply was, in a Manner, tacitly contracted for upon the Royal Assent to the Petition; and had Faith here been violated, no farther Confidence could have subsisted between King and Parliament. Having made this Concession, the Commons

Commons continued to carry their Scrutiny into every Part of Government.

A little after, Writs were issued for summoning this Parliament, a Commission had been granted to Sir *Thomas Coventry*, Lord Keeper, the Earl of *Marlborough*, High Treasurer, the Earl of *Manchester*, Lord President of the Council, the Earl of *Worcester*, Privy Seal, the Duke of *Buckingham*, High Admiral, and all the considerable Officers of the Crown, in the whole Thirty-three. By this Commission, which from the Numbers named in it could be no Secret, the Commissioners were empowered to meet, and concert among themselves the Methods of levying Money among themselves by Imposition or otherwise; *Where Form and Circumstances*, as expressed in the Commission, *must be dispensed with, rather than the Substance be lost or hazarded.* In other Words, this was a Scheme for sending Expedients which might raise the Prerogative to the greatest Height, and render
Parliaments

Parliaments entirely useless. The Commons applied for cancelling the Commission, and were, no doubt, desirous that all the World should conclude the King's Principles to be extremely arbitrary, and should observe what little Regard he was disposed to pay to the LIBERTIES and Privileges of his People. The Commons next resumed their Censure of *Buckingham's* Conduct, against whom they were implacable. They agreed to present a Remonstrance to the King, in which they recapitulated all national Grievances and Misfortunes, and omitted no Circumstance which could render the whole Administration despicable and odious.

It was not without good Grounds that the Commons were so fierce and assuming. Tho' they had already granted the King five Subsidies, they still retained a Pledge in their Hands which they thought would ensure them Success in all their Applications: Tonnage and Poundage had not yet been granted by Parliament, and the Commons had artfully,

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this Session, concealed their Intention of invading that Branch of Revenue till the Royal Assent had been obtained to the Petition of Right, which they justly esteemed of such Importance. They then openly asserted, that the levying Tonnage and Poundage without Consent of Parliament, was a palpable Violation of all the antient LIBERTIES of the People, and an open Infringement of the Petition of Right so lately granted. The King, in Order to prevent the finishing and presenting this Remonstrance, came suddenly to the Parliament, and ended this Session by a Prorogation.

Page 183. [In the YEAR 1629.]

Charles supported his Officers in all these Measures, (making Seizures on Merchants Goods for refusing to pay Tonnage and Poundage, &c.) and the Quarrel grew every Day higher between him and the Commons. Mention was made in the House of impeach-
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ing Sir Richard Weston, Lord Treasurer, and the King began to entertain Thoughts of finishing the Session by a Dissolution.

Sir John Elliot framed a Remonstrance against levying Tonnage and Poundage without Consent of Parliament, and offered it the Clerk to read. It was refused. He read it himself. The Question being then called for, the Speaker, Sir John Finch, said *that he had a Command from the King to adjourn, and put no Question.* Upon which he rose, and left the Chair. The whole House was in an Uproar. The Speaker was pushed back into the Chair, and forcibly held in it by *Hollis* and *Valentine*, till a short Remonstrance was framed and passed. Papists and Arminians were there declared capital Enemies to the Commonwealth. Those who levied Tonnage and Poundage were branded with the same Epithet. And the Merchants who should voluntarily pay these Duties, were denominated Betrayers of *English* LIBERTY and Public Enemies. The Doors being locked, the Gentleman Usher of the

House of Lords, who was sent by the King, could gain no Admittance, till this Remonstrance was finished. By the King's Order he took the Mace from the Table, which ended their Proceedings. And a few Days afterwards the Parliament was dissolved.

The Discontents of the Nation ran extremely high on Account of this Rupture between the King and Parliament. These Discontents *Charles* inflamed by his Affectation of a Severity, which he had not Power to carry to Extremity. Sir *Miles Hobart*, Sir *Peter Heyman*, *Selden*, *Coriton*, *Long*, *Strode*, were committed to Prison on Account of the last Tumult, which was called Sedition. With great Difficulty, and after several Delays, they were released, and the Law was generally supposed to be wrested, in order to prolong their Imprisonment. Sir *John Elliot*, *Hollis*, and *Valentine*, were summoned to their Trial in the King's Bench for seditious Speeches and Behaviour in Parliament; but refusing to answer before an inferior

inferior Court for such Conduct, as Members of a superior; they were condemned to be imprisoned during the King's Pleasure, to find Sureties for their good Behaviour, and to be fined, the two former a thousand Pounds a piece, the latter Five Hundred. This Sentence, procured by the Influence of the Crown, served only to shew the King's Disregard to the Privileges of Parliament, and to acquire an immense Stock of Popularity to the Sufferers, who had so bravely, in Opposition to arbitrary Power, defended the LIBERTIES of their native Country. The Commons of *England*, though an immense Body, and possessed of the greatest Part of the national Property, were naturally somewhat defenceless, because of their personal Equality, and Want of Leaders: But the King's Severity here pointed out Leaders to them, whose Resentment was inflamed, and whose Courage was no way daunted by the Hardships they had undergone in so honourable a Cause.

So much did these Prisoners glory in their Sufferings, that they would not condescend even to present a Petition to the King, expressing their Sorrow for having offended him. They unanimously refused to find Sureties for their good Behaviour, disdaining to accept Deliverance on such Terms.

Page 195. [In the YEAR 1630].

The Principles of which Prerogative were not entertained by the King merely as soft and agreeable to his Royal Ears: they were also put in Practice during all the Time that he ruled without Parliaments. He gave Way to Severities in the Star-Chamber and High Commission, which seemed requisite in order to support the present Model of Administration, and repress the rising Spirit of LIBERTY throughout the Kingdom. Under these two Heads may be reduced all the remarkable Transactions of this Reign, during some Years:

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for in peaceable and prosperous Times, where a Neutrality in foreign Affairs is observed, scarce any Thing is remarkable but what is blamed or blameable. And lest the Hope of Relief or Protection from Parliament might encourage Opposition, *Charles* issued a Proclamation, in which he declared, " That where-
 " as, for several ill Ends, the calling again
 " of a Parliament is divulged; though his
 " Majesty has shewn by frequent meeting
 " with his People, his Love to the Use of
 " Parliaments: Yet the late Abuse having, for
 " the present, driven him unwillingly out of
 " that Course, he will account it Presumption
 " for any one to prescribe to him any Time
 " for the calling that Assembly." This was generally construed as a Declaration, that, during this Reign, no more Parliaments were intended to be summoned. And every Measure of the King confirmed a Suspicion so disagreeable to the Generality of the People.

Tonnage and Poundage were continued to be levied by the Royal Authority alone. The
 former

former arbitrary Impositions were still exacted. Even new Impositions were laid on several Kinds of Merchandize.

The Custom-House Officers received Orders from the Council to enter into any House, Warehouse or Cellar, and to break any Bulk whatever, in Default of the Payment of Customs.

Page 196.

Barnard, Lecturer of *St. Sepulchre's London*, had this Expression in his Prayer before Sermon: *Lord, open the Eyes of the Queen's Majesty, that she may see Jesus Christ, whom she has pierced with her Infidelity, Superstition, and Idolatry.* He was questioned in the High Commission Court, but, upon his Submission dismissed. *Leighton*, who had wrote Libels against the King, the Queen, and the whole Administration, was condemned by a very severe,

vere, if not a cruel Sentence; but the Execution of it was suspended for some Time, in Expectation of his Submission.

Page 198. [In the YEAR 1633.]

The Court of Star-Chamber extended very far its Authority; and it was Matter of Complaint that it encroached upon the Jurisdiction of other Courts; imposing heavy Fines, and inflicting Punishments beyond the usual Course of Justice. Sir *David Foulis* was fined £5000 chiefly because he had dissuaded a Friend from compounding with the Commissioners of Knighthood.

Prynne, a Barrister of *Lincoln's-Inn*, had wrote an enormous Quarto of a Thousand Pages, which he called *Histrion Mastix*. Its professed Purpose was to decry Stage-Plays, Comedies, Interludes, Music and Dancing; but the Author likewise took Occasion to de-

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claim against Hunting, Public Festivals, Christmas-keeping, Bonfires, and May-Poles. His Zeal against all these Levities, he says, was first moved by observing that Plays sold better than the choicest Sermons, and that they were frequently printed on finer Paper than the Bible itself. Besides, that the Players were often Papists and desperately wicked; the Play-Houses, he affirms, are Satan's Chapels, the Play-Hunters little better than incarnate Devils, and so many Steps in a Dance, so many Paces to Hell. The rest of his Thousand Pages were of a like Strain. He had obtained a Licence from Archbishop *Abbot's* Chaplain, yet was he indicted in the Star-Chamber as a Libeller. It was thought somewhat hard that general Invectives against Plays should be interpreted into Satyres against the King and Queen merely because they frequented those Amusements, and because the Queen sometimes acted a Part in Pastorals and Interludes, which were represented at Court. He was condemned to be put from the Bar, to stand on the Pillory in two Places, *Westminster*

ber and *Cheapside*; to lose both his Ears, one in each Place; to pay £5000 Fine to the King, and to be imprisoned during Life.

Page 200. [In the YEAR 1634.]

Ship Money was now introduced. The first Writs of this Kind had been only directed to Sea-port Towns: But Ship Money was at this Time levied on the whole Kingdom, and each County was rated at a particular Sum, which was afterwards assessed upon Individuals. The Amount of the whole Tax was very moderate, little exceeding £200,000. it was levied upon the People with Justice and Equality; and this Money was entirely expended upon the Navy, to the great Advantage of the Kingdom: Yet all these Circumstances could not reconcile the People to the Imposition. It was entirely arbitrary: By the same Right, any other Tax might be imposed; and Men esteemed a powerful Fleet, though very desirable both for the

Credit and Security of the Kingdom, but an unequal Recompence for their LIBERTIES, which were thus sacrificed to the obtaining it.

Page 204. [In the YEAR 1637.]

Complaints were made about this Time that the Petition of Rights was, in some Instances violated, and that upon a Commitment by the King and Council, Bail or Releasement had been refused to *Jennings*, *Pargiter*, and *Danvers*.

Williams, Bishop of *Lincoln*, a Man of great Spirit and Learning, a very popular Prelate, and who had been Lord-keeper, was fined £100,000 committed to the Tower during the King's Pleasure, and suspended from his Office. This severe Sentence was founded on very frivolous Pretences, and was more ascribed to *Laud's* Vengeance, than to any Guilt of the Bishop. *Laud*, however, had owed his first

first Promotion entirely to the good Offices of that Prelate with *James*. But so implacable was the haughty Primate, that he raised up a new Prosecution against *Williams* on the strangest Pretence imaginable. In order to levy the Fine, some Officers had been sent to seize all the Furniture and Books of his episcopal Palace at *Lincoln*; and in rummaging the House they found in a Corner some neglected Letters, which had been thrown by as useless. These Letters were wrote by one *Osbaldistone*, a Schoolmaster, and were directed to *Williams*. Mention was there made of a little great Man, and, in another Passage, the same Person was denominated a little Urebin. By Inferences and Constructions, these Epithets were applied to *Lord*, and on no better Foundation was *Williams* tried anew, as having received scandalous Letters, and not discovering that private Correspondence. For this Offence, another Fine of £3000. was levied on him by a Sentence of the Star-Chamber. *Osbaldistone* was likewise brought to Trial, and condemned to a Fine of £5000 and to have his

his Ears nailed to the Pillory before his own School. He saved himself by Flight, and left a Note in his Study where he said, "That he " was gone beyond *Canterbury*."

Page 206.

Lilburne was accused before the Star-Chamber of publishing and dispersing seditious Pamphlets. He was ordered to be examined, but refused to take the Oath, usual in that Court, that he would answer no Interrogatories, by which he might be led to accuse himself. For this Contempt, as it was interpreted, he was sentenced to be whipped, pilloried, and imprisoned. While he was whipped at the Cart, and stood on the Pillory, he harangued the Populace, and declaimed violently against the Tyranny of Bishops. From his Pockets he also scattered Pamphlets said to be seditious, because, I suppose, they attacked the Hierarchy. The Star-Chamber, who were sitting at that very Time, ordered him immediately to

to be gagged. He ceased not, however, tho' both gagged and pilloried, to stamp with his Foot and gesticulate, in order to show the People that if he had it in his Power, he would still harangue them. This Behaviour gave fresh Provocation to the Star-Chamber, and they condemned him to be imprisoned in a Dungeon, and loaded with Irons.—It was found very difficult to break the Spirit of Men, who placed both their Honour and their Conscience in suffering.

Page 207.

This Year *John Hambden* deservedly acquired, by his Spirit and Courage, universal Popularity throughout the Nation, and has merited great Renown with Posterity for the bold Stand which he made in Defence of the Laws and LIBERTIES of his Country. After the laying on of Ship-Money, *Charles*, in order to discourage all Opposition, had proposed the Question to the Judges; “ Whe-
“ ther,

“ther, in a Case of Necessity, for the De-
 fence of the Kingdom, he might not impose
 “this Taxation; and whether he was not sole
 “Judge of the Necessity?” These Guardians
 of Law and LIBERTY, replied, with great
 Complaisance, “That in a Case of Necessity
 “he might impose that Taxation, and that he
 “was sole Judge of the Necessity.” Mr. *Hamb-*
den had been rated Twenty Shillings for an
 Estate which he held in *Buckinghamshire*: Yet
 notwithstanding this declared Opinion of the
 Judges, notwithstanding the great Power, and
 sometimes rigorous Maxims of the Court,
 he resolved, rather than tamely submit to so
 illegal an Imposition, to stand a legal Prose-
 cution, and expose himself to all the Indigna-
 tion of the Court. The Case was argued
 during Twelve Days in the Exchequer-Cham-
 ber, before all the Judges of *England*; and
 the Nation regarded with the utmost Anxiety,
 every Circumstance of this celebrated Trial.
 The Event was easily foreseen: But the Prin-
 ciples, and Reasonings, and Behaviour of all
 the Parties engaged in the Trial, were much
 canvassed

canvassed and enquired into; and nothing could equal the Favour paid to one Side except the Hatred which attended the other.

Page 209.

The prejudiced or prostituted Judges, four excepted, gave Sentence in Favour of the Crown. *Hambden*, however, obtained by the Trial the End for which he had so generously sacrificed his Safety and his Quiet: The People were roused from their Lethargy, and became sensible of the Danger to which their LIBERTY was exposed. The national Questions were canvassed in every Company; and the more they were examined, the more evident did it appear to many, that LIBERTY was totally subverted, and an unusual and arbitrary Authority exercised over the whole Kingdom. Slavish Principles, they said, concurred with illegal Practices; ecclesiastical Tyranny gave Aid to civil Usurpation; iniquitous

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Taxes

Taxes were supported by arbitrary Punishments; and the whole Rights of the Nation, transmitted through so many Ages, secured by so many Laws, and purchased by the Blood of so many Heroes and Patriots, now lay prostrate at the Feet of a Monarch. What tho' the public Peace and national Industry increased the Commerce and Opulence of the Kingdom? This Advantage was temporary, and due alone, not to any Encouragement given by the Crown, but to the Spirit of the *English*,—the Remains of their antient Freedom. To redress these Grievances, a Parliament was impatiently longed for, or any other Incident, however calamitous, which might secure the People against those Oppressions which they felt, or the greater Ills which they apprehended from the combined Encroachments of Church and State.

In

In the YEAR 1640.

Though the Parliament was dissolved, the Convocation was still allowed to sit, of which since the Reformation, there were but few Instances, and which was, for that Reason, supposed by many to be irregular.

The People, who generally abhorred the Convocation as much as they adored the Parliament, could scarce be kept from abusing and insulting this Assembly; and the King was obliged to set Guards in order to protect them. An Attack was made too during the Night upon *Laud*, in his Palace at *Lambeth*, by above 500 Persons, and he found it necessary to fortify himself for his Defence. A Multitude of Two Thousand Sectaries entered *St. Paul's*, where the High Commission then set, tore down all the the Benches, and cried out,—*No Bishops! no High Commission!*—All these Instances of Discontent were Presages of some great Revolution, had the Court possessed suf-

ficient Skill to discern the Danger, or sufficient Power to provide against it.

In this Disposition of Men's Minds it was in vain, that the King issued a Declaration, in Order to convince his People of the Necessity which he lay under of dissolving the last Parliament. The chief Topic on which he insisted was, that the Commons imitated the bad Examples of their Predecessors of late Years in making continual Encroachments on his Authority, in censuring his whole Administration and Conduct, in discussing every Circumstance of public Government, and in their indirect bargaining and contracting with their King for Supply, as if nothing ought to be given him but what he should purchase, either by quitting somewhat of his Royal Prerogative, or by diminishing and lessening his standing Revenue.

In

In the YEAR 1640.

The Causes of Disgust, which, for above Thirty Years, had every Day been multiplying in *England*, were now come to full Maturity, and threatened the Kingdom with some great Revolution or Convulsion. The uncertain and undefended Limits of Prerogative and Privilege had been eagerly disputed during that whole Period, and in every Controversy between King and People the Question, however doubtful, had always been decided by each Party in Favour of its own Pretensions. Too lightly moved by the Appearance of Necessity, the King had even assumed Powers, incompatible with the Principles of limited Government, and had rendered it impossible for his most zealous Partezans entirely to justify his Conduct, except by Topics so odious that they were more fitted, in the present Disposition of Men's Minds, to inflame than appease the general Discontent. Those great Supports of public Authority, Law and Religion,

gion, had likewise, by the unbounded Compli-
 ance of Judges and Prelates, lost much of
 their Influence over the People. The Nobility,
 likewise, had been seized with the general
 Discontent, and threw themselves into the
 Scale, which began already too much to pre-
 ponderate. The near Prospect of Success
 roused all the latent Murmurs and Preten-
 sions of the Nation, which had hitherto been
 held in such violent Constraint, and the Tor-
 rent of general Inclination and Opinion ran so
 strong against the Court, that the King was
 in no Situation to refuse any reasonable Pre-
 tensions of the popular Leaders either for de-
 fining or limiting the Powers of his Preroga-
 tive.

'Tis an usual Compliment to regard the
 King's Inclination in the Choice of a Speaker,
 and *Charles* had intended to advance *Gardiner*
 Recorder of *London*, to that important Trust;
 but so little Interest did the Crown at that
 Time

Time possess in the Nation, that *Gardiner* was disappointed of his Election, not only in *London*, but in every other Place, where it was attempted, and the King was obliged to make the Choice of a Speaker fall on *Lenthal*, a Lawyer of Character, though not sufficiently qualified for so great and difficult an Office.

The eager Expectations of Men with regard to a Parliament, summoned at so critical a Juncture, and during such general Discontents, a Parliament which, from the Situation of public Affairs, could not be abruptly dissolved, and which was to execute every thing left unfinished by former Parliaments; these Views, so important and interesting, engaged the Attention of all the Members; and the House of Commons was never observed to be from the Beginning, so numerous and frequent. Without any Interval, therefore, they entered upon Business, and by unanimous Consent, they struck a Blow, which may, in a Manner, be regarded as decisive.

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The Earl of *Strafford* was considered as chief Minister of State, both on Account of the Credit which he possessed with his Master, and of his own great and uncommon Vigour and Capacity. By a Concurrence of Accidents, this Man laboured under the severe Hatred of all the Three Nations, which composed the *British* Monarchy. The *Scotch*, whose Authority now ran extremely high, looked on him as the capital Enemy of their Country, and one whose Councils and Influence they had most Reason to apprehend. He had engaged the Parliament of *Ireland* to advance large Subsidies, in order to support a War against them: He had levied an Army of Nine Thousand Men, with which he had menaced all their Western Coast. He had obliged the *Scotch*, who lived under his Government, to renounce the Covenant, their national Idol. He had in *Ireland* proclaimed the *Scotch* Covenanters Rebels and Traitors, even before the King had issued any such Declaration against them in *England*: And he had

had ever dissuaded his Master against the late Treaty and Suspension of Arms, which he regarded as dangerous and dishonourable.

Strafford, first as Deputy, then as Lord Lieutenant, had governed in *Ireland* during Eight Years with very little Popularity. The Manners and Character of this great Man, though to all full of Courtesy, and to his Friends full of Affection, were at Bottom haughty, rigid, and severe. His Authority and Influence during the Time of his Government, had been unlimited; but no sooner did Adversity seize him than the concealed Aversion of the Nation blazed up at once, and the *Irish* Parliament used every Expedient to aggravate the Charge against him.

Strafford, sensible of the Load of popular Prejudices under which he laboured, would gladly have declined Attendance on the Parliament; and he begged the King's Permission to withdraw himself to his Government in *Ireland*, or at least to remain at the Head of

the Army in *Yorkshire*. But *Charles*, who had entire Confidence in the Earl's Capacity, thought that his Councils would be extremely useful during the critical Session. And when *Strafford* still insisted on the Danger of appearing amidst so many enraged Enemies, the King, little apprehensive that his own Authority was so suddenly to expire, promised him Protection, and assured him, that not a Hair of his Head should be touched by the Parliament.

No sooner was *Strafford's* Arrival known, than a concerted Attack was made upon him in the House of Commons. *Pym*, in a long studied Discourse, divided into many Heads after his Manner, enumerated all the Grievances under which the Nation laboured; and from a Complication of such Oppressions, inferred, that a deliberate Plan had been formed of entirely changing the Frame of Government, and subverting the antient Laws and LIBERTIES of the Kingdom. Could any thing, he

he said, increase our Indignation against so enormous and criminal a Project, it would be to find, that during the Reign of the best of Princes, the Constitution had been endangered by the worst of Ministers, and that the Virtues of the King had been seduced by wicked and pernicious Councils. We must enquire, added he, from what Fountain these Waters of Bitterness flow; and though doubtless many evil Counsellors will be found to have contributed their Endeavours, yet there is one who challenges the infamous Pre-eminence, and who, by his Courage, Enterprize, and Capacity, is entitled to the first Place among these Betrayers of their Country. He is the Earl of *Strafford*, Lieutenant of *Ireland*, and President of the Council of *York*, who, in both Places, and in all other Provinces where he has been intrusted with Authority, has raised ample Monuments of Tyranny, and will appear, from a Survey of his Actions, to be the chief Promoter of every arbitrary Council. Some Instances of imperious Expressions, as well as Actions, were given by *Pym*, who afterwards

entered into a more personal Attack of that Minister, and endeavoured to expose his whole Character and Manners.

Sir *John Clotworthy*, an *Irish* Gentleman, Sir *John Hotham*, of *Yorkshire*, and many others, entered into the same Topics: And after several Hours spent in bitter Invektive, when the Doors were locked, in order to prevent all Discovery of their Purpose, it was moved, in Consequence of the Resolution secretly taken, that *Strafford* should immediately be impeached of High Treason. This Motion was received with universal Approbation; nor was there, in all the Debate, one Person who offered to stop the Torrent by any Testimony in Favour of the Earl's Conduct. Without farther Debate the Accusation was voted: *Pym* was chosen to carry up the Impeachment. Most of the House accompanied him on so agreeable an Errand: And *Strafford*, who had just entered the House of Peers, and who little expected so hasty a Prosecution,

was

was immediately upon this general Charge, ordered into Custody.

In the Enquiry concerning Grievances and the Censure of past Measures, *Laud* could not long escape the severe Scrutiny of the Commons. After a Deliberation which scarce lasted half an Hour, an Impeachment for High Treason was resolved against this Subject, the first, both in Rank and in Favour, throughout the Kingdom. Tho' this Incident, considering the Example of *Strafford's* Impeachment, and the present Disposition of the Nation and Parliament, needed be no Surprize to him; yet he was betrayed into some Passion when the Accusation was presented. *The Commons themselves, he said, though his Accusers, did not believe him Guilty of the Crimes with which they charged him.* An Indiscretion, which, next Day, upon more mature Deliberation, he desired Leave to tract; but so little favourable were the Peers, that they refused him this Advantage or Indulgence. *Laud* was immediately,

immediately, upon this general Charge, sequestered from Parliament, and committed to Custody.

The capital Article insisted on against these two great Men, was the Design which the Commons supposed to have been formed for subverting the Laws, and introducing arbitrary and unlimited Authority into the Kingdom. Of all the King's Ministers, no one was so obnoxious in this respect as the Lord Keeper *Finch*. He it was who, being Speaker in the King's Third Parliament, had left the Chair, and refused to put the Question when ordered by the House. The extra-judicial Opinion of the Judges in the Case of Ship-Money had been procured by his Intrigues, Persuasions, and even Menaces. In all unpopular and illegal Measures he was ever most active; and was even believed to have declared publicly, that while he was Keeper, an Order of the Council should always with him be equivalent to a Law. An Impeachment

ment was resolved on, and, in order to escape their Fury, he thought proper secretly to withdraw, and to retire into *Holland*. His Impeachment however, in his Absence was carried up to the House of Peers.

The most unpopular of all *Charles's* Measures, the most impolitic, the most oppressive, and even, excepting Ship-Money, the most illegal, was the Revival of *Monopolies*, so solemnly abolished, after reiterated Endeavours, by a recent Act of Parliament. Sensible of this unhappy Measure, the King had of himself, recalled, during the Time of his first Expedition against *Scotland*, many of these destructive Patents, and the rest were now annihilated by Authority of Parliament, and every one concerned in them declared Delinquents.

The whole Sovereign Power being thus, in a Manner, transferred to the Commons,
and

and the Government, without any seeming Violence or Disorder, changed from a Monarchy, almost absolute, to a pure Democracy, the popular Leaders seemed willing, for some time, to suspend their active Vigour, and to consolidate their Authority ere they proceeded to any violent Exercise of it. Every Day produced some new Harangue on past Grievances. The Detestation of former Usurpations was further enlivened. The Jealousy of LIBERTY roused; and, suitable to the true Spirit of Free Government, an equal Indignation was excited, by the View of a violated Constitution, as by the Ravages of the most enormous Tyranny.

So many Grievances were offered, both by the Members, and by Petitions without Doors, that the House was divided into above Forty Committees, charged each of them, with the Examination of some particular Violation of Law and LIBERTY, which had been complained

plained of. Besides the general Committees of Religion, Trade, Privileges, Laws, many Sub-divisions of these were framed, and a strict Scrutiny was every where carried on.

From the Reports of their Committees, the House daily passed Votes, which mortified and astonished the Court, and inflamed and animated the Nation. Ship-Money was declared illegal and arbitrary; the Sentence against *Hambden* cancelled; the Court of *York* abolished; Compositions of Knighthood stigmatized; the Enlargement of the Forests condemned; Patents for Monopolies annulled; and every late Measure of the Administration treated with Reproach and Obloquy. To-day a Sentence of the Star-Chamber was exclaimed against: To-morrow, a Decree of the High Commission. Every discretionary Act of Council was represented as arbitrary and tyrannical: And the general Inference was still inculcated, that a former Design had been laid to subvert the whole Laws and Constitution of the Kingdom.

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From Necessity, the King remained entirely passive.

For some Years Con, a Scotchman, afterwards Rosetti, an Italian, had openly resided at London, and frequented the Court, as vested with a Commission from the Pope.

The Queen's Zeal, and her Authority, with her Husband, had been the Cause of this Imprudence so offensive to the Nation. But the Spirit of Bigotry now rose too high to permit any longer such Indulgences.

Charles, in the former Part of his Reign had endeavoured to overcome the intractable and encroaching Spirit of the Commons by a Perseverance in his own Measures, by a stately Dignity of Behaviour, and by maintaining, at their utmost Height, and even stretching, be-
yond

yond former Precedents, the Rights of his Prerogative. Finding by Experience how unsuccessful those Measures had proved, and observing the low Condition to which he was now reduced, he resolved to alter his whole Conduct, and to regain the Confidence of his People by Pliableness and Concessions, and by a total Conformity to their Inclinations and Prejudices. He considered not that the true Rule of Government in such a Situation as that, in which from the Beginning of his Reign he was placed, consisted neither in Steadiness nor Facility, but in such a judicious Mixture of both, as would exactly suit the present Circumstances of the Nation, and the particular Pretensions of his Opponents. And it may safely be averred that this new Extreme into which the King, for Want of proper Council or Support was fallen, became equally dangerous to the Constitution, and pernicious to the public Peace as the other, in which he had so long and so unfortunately persevered.

The Pretensions with regard to Tonnage and Poundage were revived, and with great Assurance of Success by the Commons. The levying these Duties, as formerly, without Consent of Parliament, and even increasing them at Pleasure, was such an Incongruity in a free Constitution, where the People, by their fundamental Privileges cannot be taxed but by their own Consent, as could no longer be endured by these zealous Patrons of LIBERTY. In the Preamble, therefore, to the Bill where the Commons granted these Duties to the King, they took Care in the strongest and most positive Terms to assert their own Right of bestowing this Gift, and to divest the Crown of all independent Title of assuming it. And that they might increase or rather finally fix the Subjection of the King, they voted these Duties only for two Months, and afterwards, from Time to Time, renewed their Grant for very short Periods.—And *Charles* passed this important Bill without any Scruple or Hesitation.

With

With regard to the Bill for triennial Parliaments, he made a little Difficulty. By an old Statute passed during the Reign of *Edward III.* it had been enacted, that Parliaments should be held once a Year, or more frequently if necessary. But as no Provision had been made in case of Failure, and no precise Method pointed out for Execution, this Statute had been considered merely as a general Declaration, and was dispensed with at Pleasure. The Defect was supplied by those vigilant Patriots who now assumed the Reigns of Government. It was enacted, that if the Chancellor, who was first bound under severe Penalties, failed to issue Writs by the Third of *September* in every Third Year, any Twelve or more of the Peers should be empowered to exert his Authority. In Default of the Peers, the Sheriffs, Mayors, Bailiffs, &c. should summon the Voters: And in their Default, the Voters themselves should meet, and proceed to the Election of Members, as if Writs had been regularly issued from the Crown.

Crown. Nor could the Parliament, after it was called, be adjourned, prorogued, or dissolved, without their own Consent, the space of Fifty Days. By this Bill some of the noblest and most valuable Privileges of the Crown were retrenched; but at the same Time, nothing could be more requisite than such a Statute for completing a regular Plan of Law and LIBERTY. A great Reluctance to assemble Parliaments must be expected in the King, where these Assemblies, as of late, establish it as a Maxim to carry their Scrutiny into every Part of Government. During long Intermissions of Parliament, Grievances and Abuses, agreeable to recent Experience, would naturally creep in; and it would even become necessary for the King and Council to exert a great discretionary Authority, and, by Acts of State supply, in every Emergency, the Legislative Power, whose Meeting was so uncertain and precarious. Charles, finding that nothing less would satisfy his Parliament and People, at last gave his Assent to this Bill, which produced so great

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 Solemn Thanks were presented him by both
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 in the City and throughout the Nation;
 and mighty Professions were every where
 made, of Gratitude and mutual Returns of
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F I N I S.



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E I N I S

